

October 5, 2009

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Hon. Patrick J. Schiltz
U.S. District Court Judge
District of Minnesota
774 Federal Building
316 North Robert Street
St. Paul, MN 55101

**Re: Jon E. DeVary v. Countrywide Home Loans, Inc. et al.
Court File No. 09-cv-1146 (PJS/FLN)**

Dear Judge Schiltz:

Pursuant to your Order dated September 2, 2009 counsel for the parties in the above-captioned action notified you on September 8, 2009 that the parties are engaged in settlement discussions and that the parties would file a letter with the Court no later than October 5, 2009 consistent with paragraph 3 of the Order.

The parties are writing to request additional time to engage in settlement negotiations. Plaintiff provided a formal written settlement demand on September 21, 2009. Defendants requested additional information from Plaintiff concerning the basis for the settlement demand, and this information was provided by Plaintiff on September 30, 2009. Defendants are now formulating a response to the settlement demand, but the parties will not be in a position to report a final settlement by Monday, October 5, 2009.

Accordingly, the parties are respectfully requesting an additional thirty (30) days to notify the Court about settlement or a plan for discovery and motions consistent with paragraph 3 of the Order.

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Thank you for your consideration of this request.

Sincerely,

s/ Eric J. Rucker
Counsel for Defendants

s/Michael J. Keogh
Counsel for Plaintiff

EJR/kw